

Resolution No.:	18-688
Introduced:	<u>December 13, 2016</u>
Adopted:	<u>December 13, 2016</u>

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

Lead Sponsor: County Council

SUBJECT: Extend the Time for Council Action for Approval of Declaration of No Further Need: Disposition of Site II Property on Industrial Parkway in Silver Spring

Background

1. Montgomery County Code §11B-45 requires the Council to approve a Declaration of No Further Need before the County Executive can dispose of real property that has more than nominal value. Prior to seeking Council approval of a Declaration of No Further Need, the Executive must:
2.
 - (a) submit all material terms of the proposed disposition and any appraisal the Executive relied on in setting the property's market value to the Council; and
 - (b) publish a declaration in the County Register and post a notice on the County website that the County has no further need for the property.

The Council must act on the Declaration of No Further Need within 60 days of receiving the Declaration or it is automatically approved. The Council may extend the 60-day deadline by resolution if the Council President has informed the Executive, within 30 days of receiving the proposed action, that the Council has not received all information necessary to review the proposed action.

3. On November 13, 2014, the Council received a summary of the Executive's recommended material terms for the disposition of County-owned land, known as Site II, on Industrial Parkway in Silver Spring. The Executive recommended that the land be disposed of through transfers as a part of a joint development partnership. The Council approved the declaration of no further need and the transfer for less than fair market value by Resolution No. 18-195 on June 23, 2015 based upon the material terms submitted on November 13, 2014. However, the Executive was unable to reach a final agreement with the joint developer.

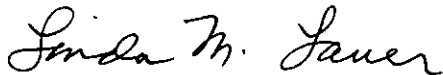
4. On November 15, 2016, the Council received revised material terms for the disposition of Site II as a sale to the developer. The Council will be on recess between December 13, 2016 and January 17, 2017.
5. On December 6, 2016 the Council President informed the County Executive that the Council may need to extend the time for consideration in order to receive the Executive's proposed changes to the local area review for transportation improvements in the White Oak area, to consider testimony from the public hearing, and to consider responses to the Council's questions on the material terms.
6. The revised material terms of the disposition of Site II must be approved by the Council within 60 days unless the time is extended by Council resolution.

Action

The County Council for Montgomery County, Maryland approved the following resolution:

The time for Council action on the Revised Declaration of No Further Need for the disposition of Site II Property on Industrial Parkway in Silver Spring, is extended to March 15, 2017.

This is a correct copy of Council action.



Linda M. Lauer, Clerk of the Council